

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

ROBERT F. KENNEDY, *et al.*,

Plaintiffs,

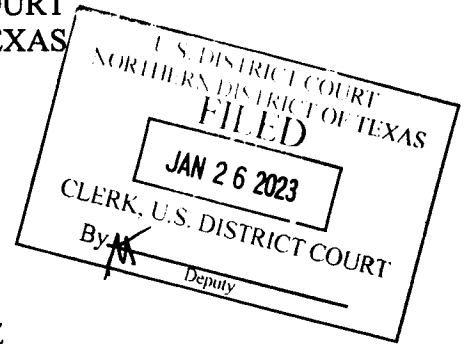
v.

THE WASHINGTON POST CO., *et al.*,

Defendants.

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2:23-CV-004-Z



ORDER

Before the Court is Plaintiffs' Motion for Issuance of Letters Rogatory ("Motion") (ECF No. 14), filed on January 24, 2023. The Court **DENIES** the Motion. To effectuate service of process, Plaintiff asks the Court to issue letters rogatory to Defendant British Broadcasting Company ("BBC"), which resides in the United Kingdom. ECF No. 14 at 1.

"Although letters rogatory are most commonly used in connection with discovery, they may also be used to effect service of process outside the United States." *Chung v. Chih-Mei*, No. 22-CV-01983-BLF, 2022 WL 17584243, at *2 (N.D. Cal. Dec. 12, 2022). Federal Rule of Civil Procedure 4(f)(2)(B) authorizes such service, but only where "there is no internationally agreed means" of service, "or if an international agreement allows but does not specify" other means. As Plaintiffs admit, the United Kingdom is a party to the Hague Convention. ECF No. 14 at 2. Therefore, Plaintiffs must effect service on BBC under Rule 4(f)(1) or (f)(3). *See Viahart, L.L.C. v. GangPeng*, No. 21-40166, 2022 WL 445161, at *3 (5th Cir. Feb. 14, 2022); *Nagravision SA v. Gotech Int'l Tech. Ltd.*, 882 F.3d 494, 498 (5th Cir. 2018).

SO ORDERED.

January 26, 2023

A handwritten signature in black ink, appearing to read "Matthew J. Kacsmark", written over a horizontal line.

MATTHEW J. KACSMARK
UNITED STATES DISTRICT JUDGE